



FW

IN THE UNITED STATES PATENT AND
TRADEMARK OFFICE

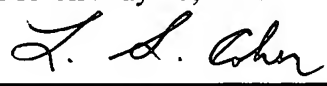
In re the Application of: Steven W. Stanton

Serial No.: 10/720,435

Docket No.: 03-115

Examiner: Kim, Eugene Lee

Art Unit: 3721

) I hereby certify that this correspondence is being
) deposited with the United States Postal Service
) via first class mail in a sealed envelope postage
) pre-paid on the date indicated below and is
) addressed to:
) MS Fee Amendment; Commissioner for
) Patents; P.O. Box 1450; Alexandria, VA
) 22313 on May 20, 2005
) 
) _____
) Lawrence S. Cohen
)
)
)

REQUEST FOR RECONSIDERATION

In response to the RESPONSE TO OFFICE ACTION that was filed on March 9, 2005, the Examiner issued a final Office Action rejecting claims 1-13. Claims 1-4 and 6-13 were rejected under Section 103, on the previously discussed basis. Claim 5 was rejected under Section 103 also as previously discussed.

Further, the Examiner rejected the applicant's arguments on the following basis:

In this case the secondary reference is being used to teach the concept of using adhesive means in a corner for reinforcing purposes and would have been obvious to provide this reinforcing means to Stanton to solidify the structure.

On May 2, 2005, counsel called the Examiner, Mr. Kim, and requested an interview. Mr. Kim declined to grant an interview and instead suggested that this request for reconsideration be submitted.

The rejection appears to be based on the fact that the Lingemann reference employs the words "corner" and "adhesive" in close proximity. The claims such as claim 1 also refer to an adhesive (hot melt glue) and a corner. This commonality appears to be the entire basis for the rejection.¹

The invention as claimed is a box made of paperboard. It has a side element and a closure element (the bottom). They are separate pieces. When put together they make a box. Claim 1 is a method for making the box. It uses a fixture to shape the side element to

¹ This is reminiscent of the story of a claim "a refrigerator having an outside wall defining an interior space adapted to preserve food" which was rejected as anticipated by a banana which of course has an outside skin that defines an interior space in which food is preserved.